

Appl. No. 09/862,830
Atty. Docket No. AA471
Amdt. Dated December 16, 2005
Reply to Office Action of 08/17/2005
Customer No. 27752

REMARKS

Claims 1, 2, 31 and 33-42 are pending. Claims 1 and 33 have been amended. Claims 7 and 37 have been canceled. New claims 34-42 have been added.

Rejection Under 35 USC 103(a) Over Ehrlich

The Office Action rejects the claims under 35 USC §103(a) independently over Ehrlich (U.S. Patent No. 4,099,912). Applicant amends the claims to overcome the rejection.

The Office Action notably states at page 5, ¶7 that Ehrlich teaches that the major inventive concept is that the components of detergent composition are separately tableted or produced in convenient unit so that the consumer, following the manufacture's instruction, can formulate her own detergent composition so as to make it most suitable for washing the particular laundry at hand, and in the preferred readily dispensed tablet, envelope, packet or capsule forms, the present units are readily packaged, filled into a dispensing article, dispensed and used without the need for the consumer to purchase a large number of different formulations, and the use of the different detergent composition components allows sequential additions of these to the washing machine in those instances where this is preferable.

Applicant submits the present amendment which defines the laundry detergent container as either a cardboard box or bottle, wherein the cardboard further comprises a scoop or measuring cup, and wherein the bottle further comprises a pour spout is one that is not suitable for dispensing the "units" of Ehrlich. The units of Ehrlich include tablets, envelopes, packet or capsules form. As such, the amendment overcomes the rejection.

Rejection under 35 USC §103(a) over US 5,064,073 in view of US 4,511,495

The Office Action rejects the claims under 35 USC §103(a) over Holland (US 5,064,073) in view of Melville (US 4,511,495). Applicant amends the claim to overcome the rejection.

According to the Office Action, Folland provides a capsule with a hole that will accommodate a plastic cup insert containing a separate product for vending two products in one container, such a laundry detergent and dryer sheets. Applicants have amended the claim such that laundry detergent container is either a cardboard box or bottle, and the fabric treatment

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composition container for the dryer sheet composition comprises a box. Applicants do not claim a plastic cup as the container.

With respect to Melville, the Office Action states Melville teaches that formulations intended for laundered fabrics normally contain to provide a pleasant smell on the laundered fabric and that powder and liquid detergent formulation, rinse cycle formulation and tumble dryer products container perfumes. Applicant respectfully point out that the Office Action's response is conclusory and fails to establish how one skilled in the art would arrive at perfume being a coordinated element. There is no mention made of how one skilled in the art would arrive at the claim limitation directed to perfume as a coordinated element.

Conclusion

Early and favorable action in the case is respectfully requested.

Respectfully submitted,

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